

REMARKS/ARGUMENTS

Claims 1-12 were pending in the present application. The present response amends claims 1 and 11, leaving pending in the application claims 1-12. Reconsideration of the rejected claims is respectfully requested.

I. Allowable Subject Matter

Claims 1-12 contain allowable subject matter.

II. Objection to the Specification

The disclosure is objected to for failing to update the status of U.S. Patent Application Serial No. 10/310,195 to U.S. Patent No. 6,738,138. The specification has been amended to include the updated status information. As such, Applicants respectfully request that the rejection with respect to the specification be withdrawn.

III. Objection to the Claims

Claims 1-12 are objected to for the presence of an informality in claims 1 and 11. Particularly, claims 1 and 11 are objected to for not including the phrase "of the lens" after the recitation of "the optical axis." Although Applicants do not necessarily agree with the need for such inclusion, claims 1 and 11 have been amended in order to expedite issuance of the pending claims. Applicants therefore respectfully request that the objection to the claims be withdrawn.

IV. Double Patenting Rejection

Claims 1-12 are rejected under the judicially created doctrine of double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,515,744. Although Applicants do not necessarily agree with the rejection, a timely filed terminal disclaimer is filed herewith in order to expedite issuance of the pending claims. Applicants therefore respectfully submit that the rejection with respect to the claims has been overcome.

V. Amendment to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter to the specification.

VI. Conclusion

In view of the above, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the pending claims and a notice of allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-1703, under Order No. TWI-13120. **A duplicate copy of the transmittal cover sheet attached to this Response to Office Action Mailed August 24, 2004, is provided herewith.**

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: November 2, 2004

By: 

Jason D. Lohr
Reg. No. 48,163

Attorneys for Applicant(s)